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## Attorneys for the United States

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, ) No. 11 CR-749 LHK  
Plaintiff, ) STIPULATION AND [PROPOSED]  
v. ) ORDER CONTINUING HEARING TO  
LUIS RUIZ LOPEZ, ) MAY 2, 2012  
Defendant. )

The Parties, acting through respective counsel, hereby stipulate, subject to the Court's approval, that the hearing currently set for April 4, 2012 at 9 a.m. be vacated, and that the hearing be re-set for May 2, 2012 at 9 a.m. The parties are requesting the continuance of the hearing due to the need for additional time for effective preparation, the need to jointly negotiate a resolution in this matter, and for the continuity of counsel, given that government counsel will not be available on April 4, 2012.

The parties stipulate that the time between April 4, 2012 and May 2, 2012, is excluded under the Speedy Trial Act, 18 U.S.C. §3161, and agree that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Finally, the parties agree that the

1 ends of justice served by granting the requested continuance outweigh the best interest of the  
2 public, and the defendant in a speedy trial and in the prompt disposition of criminal cases. 18  
3 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

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6 DATED: March 21, 2012

MELINDA HAAG  
7 United States Attorney

8 \_\_\_\_\_/s/\_\_\_\_\_

9 CAROLYNNE A. SANIN  
10 Special Assistant United States Attorney

11 \_\_\_\_\_/s/\_\_\_\_\_

12 HEATHER ROGERS  
13 Attorney for Defendant

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18 **[PROPOSED] ORDER**

19 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY  
20 ORDERED that the hearing currently set for April 4, 2012 at 9 a.m., shall be continued to May  
21 2, 2012, at 9 a.m.

22 THE COURT FINDS that failing to exclude the time between April 4, 2012, and May 2,  
23 2012, would unreasonably deny the government continuity of counsel and deny defense counsel  
24 reasonable time necessary for effective preparation, taking into account the exercise of due  
25 diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

26 THE COURT FURTHER FINDS that the ends of justice served by excluding the time  
27 between April 4, 2012, and May 2, 2012, from computation under the Speedy Trial Act outweigh  
28 the interests of the public and the defendant in a speedy trial.

1 THEREFORE, IT IS HEREBY ORDERED that the time between April 4, 2012, and  
2 May 2, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §  
3 3161(h)(7)(A) and (B)(iv).

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5 IT IS SO ORDERED.  
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7 DATED: 4/4/12  
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LUCY H. KOH  
UNITED STATES DISTRICT JUDGE